

HOUSE BILL 1243

By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 51, Part 1, relative to state lottery
operations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-51-105(a), is further amended by deleting subdivision (8) and by substituting instead the following:

(8) To conduct such market research as is necessary or appropriate, which may include an analysis of the demographic characteristics of the players of each lottery game and an analysis of public relations, incentives and other aspects of communication;

SECTION 2. Tennessee Code Annotated, Section 4-51-105(a), is further amended by deleting subdivision (17) in its entirety and by substituting instead the following:

(17) To assist lottery retailers in on-site advertising and promotion of the lottery and lottery games in a dignified and responsible manner;

SECTION 3. Tennessee Code Annotated, Section 4-51-105(a), is further amended by deleting subdivision (18) in its entirety and by substituting instead the following language:

(18) To act as a retailer and to establish and operate sales facilities to sell lottery tickets or shares;

SECTION 4. Tennessee Code Annotated, Section 4-51-105, is amended by adding the following language as a new subsection (d):

(d) The corporation shall not have the power to promote, market or advertise lottery games or the sale of lottery tickets or shares. The provisions of this subsection shall not be construed as prohibiting the corporation, and its vendors where appropriate, from printing lottery tickets, selling lottery tickets, maintaining a corporate logo for use on

official corporate documentation, tickets, lottery game terminals and other corporate property and maintaining a website for informational purposes and as otherwise required by the provisions of this chapter. The provisions of this subsection shall not be construed as prohibiting the corporation from developing uniform advertising and promotional campaigns and materials for lottery games or the sale of lottery tickets or shares for on-site use by lottery retailers pursuant to the provisions of subdivision (a)(17).

SECTION 5. Tennessee Code Annotated, Section 4-51-109(a), is amended by deleting subdivision (4) in its entirety.

SECTION 6. Tennessee Code Annotated, Section 4-51-122(a), is amended by deleting subdivision (4) and by substituting instead the following:

(4) This subsection (a) shall not be construed to prevent a merchant who may lawfully purchase tickets or shares from making a gift of lottery tickets or shares as a means of on-site promotion of goods or services to customers or prospective customers subject to prior approval by the corporation; and

SECTION 7. Tennessee Code Annotated, Section 4-51-122(a), is further amended by deleting subdivision (5) in its entirety and by substituting instead the following language:

(5) This subsection (a) shall not be construed to prohibit the corporation from designating certain of its agents and employees to sell lottery tickets or shares directly to the public.

SECTION 8. Tennessee Code Annotated, Section 4-51-124(a)(7), is amended by deleting subdivision (B) in its entirety and by substituting instead the following language:

(B) The corporation may disclose a lottery prize winner's name, home state, hometown, and, if authorized by the prize winner, any other information for advertising or promotional purposes in accordance with § 4-51-105(a)(17); and

SECTION 9. Tennessee Code Annotated, Section 4-51-128(c), is amended by deleting the language ", and advertising." and by substituting instead the language ", and advertising in accordance with § 4-51-105(a)(17)."

SECTION 10. Tennessee Code Annotated, Section 4-51-134, is amended by adding the following language to the end of the section:

For the purposes of this part, the Tennessee lottery's participation in the state's AMBER ALERT program shall not be construed as promoting, marketing or advertising lottery games or the sale of lottery tickets or shares.

SECTION 11. Tennessee Code Annotated, Section 4-51-136, is amended by adding the following language to the end of the section:

For the purposes of this part, the Tennessee lottery's establishment and participation in a lottery ticket litter reduction program shall not be construed as promoting, marketing or advertising lottery games or the sale of lottery tickets or shares.

SECTION 12. Nothing in this act shall be construed to rescind, impair or affect any contracts in effect on June 30, 2007, and shall only apply to contracts entered into, or renewed, on or after July 1, 2007.

SECTION 13. This act shall take effect July 1, 2007, the public welfare requiring it.